



# MEMO ENDORSED

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March 2, 2007

**VIA FAX 212-805-7930**

Honorable James C. Francis IV  
United States Magistrate Judge  
Southern District of New York  
500 Pearl Street  
New York, NY 10007

USDC SDNY  
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Re: Carranza v. City of New York et al. (06 CV 10010) (KMK) (JCF)

Dear Judge Francis:

On behalf of defendants, I write to request a modification of the Case Management Order (CMO) in the above-captioned case, which currently provides for a fact-discovery cut-off date of February 1, 2007. As per the attached correspondence, I have attempted to obtain plaintiff *pro se*'s consent to an extension of the CMO deadlines; plaintiff refuses to consent, apparently out of fear that he will be waiving his constitutional right for judicial relief. Accordingly, defendants request that the Court grant an extension to the CMO deadlines such that fact discovery would be completed by July 1, and the remaining CMO deadlines extended by ~~5~~ <sup>3</sup> months. If this meets with your approval, would you please "so order" it?

Thank you for your time and consideration.

*3/5/07*  
*Application granted as modified.*  
*No further extension.*

Respectfully submitted,

Fred M. Weiler (FW 5864)

cc: Joseph Carranza (via e-mail)  
P.O. Box 575060  
Whitestone, NY 11357

*SO ORDERED.*  
*James C. Francis IV*  
*USMD*